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AUG 22 2005

Harry B. Tanner  
Primary Examiner  
Art Unit 3744  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 2213-1450

08/19/05

Dear Mr. Tanner,

This letter is in answer to your Office Action Summary mailed to me 07/08/05 concerning Application No. 10/716,849 IMPROVED HOME COMFORT CONTROL USING COMBINED TEMPERATURE AND HUMIDITY MEASUREMENTS.

Please cancel Claims 1 and 2.

Please add Claim 3. Claim 3 is a re-write of claim 2 with an attempt to make the claim more complete and definite, remove the term "conventional" and provide an antecedent for "said series resistors".

It is contended that the thermostat presented by this application is not obvious for two significant reasons:

1. Strand discloses substantially a digital electronic design with numerous references to electronic circuitry, processor unit, calculator, comparison operations, keypad, algorithms, eight possible inputs, memory storage and etc. The thermostat of this application provides for a manual set point adjustment similar to that of a conventional wall thermostat. It makes no calculations, but combines temperature and humidity mechanically in a ratio deemed comfortable in A.S.H.V.E. population tests.

None of the parts of this thermostat could be used in the makeup of Strand's thermostat, and none of the parts in Strand's thermostat could be used to make the thermostat of this application.

2. In the next to last line of Strand's abstract, he states "increasing the cooling set point **may** lower energy usage". In col. 2, line 21 he also says "increasing the cooling set point value **may** lower the energy usage". Referring to COMPARISON TEST in this application starting on page 10 and continuing through the results on page 11, a very significant energy reduction of 26% was found in this test. This is not an obvious result considering Strand's use of the term **may** to describe expected energy reduction. Nor does Strand mention the main source of this significant energy reduction, which largely

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takes place near the end of a typical air conditioning day as described in the comparison test.

Any changes you can make to Claim 3. that make it acceptable would be appreciated.

A new page 14 is attached showing canceled Claims 1 and 2 and new Claim 3.

Respectfully,

*David N. Low*  
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